

**REQUEST FOR
ACTION BY:**

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board
☐ Planning Board
☐ Town Board

- ☒ Appeal
☐ Rezone
☐ Revise Ordinance
☐ Subdivision
☐ Limited Use Permit
☐ Other

Rec'd. by: Planning and Zoning

Date December 21, 2015

Action Desired Applicant requests a variance to allow up to a 250'
front yard setback for the construction of a single family residence
on 9860 Greiner Road located in the Residential Single-Family zone.

Reason §229-52 (A)

*existing home proposed for demolition has 55.35' front yard setback

PLEASE PRINT

Name Sharon Barker

Address 9780 Rocky Pt

Clarence, NY 14031

Town/City 310-6123 **State** **Zip**

Signed SIGNATURE ON FILE

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

Approved ☐

Rejected ☐ by on 20

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Published (Attach Clipping) on 20

Hearing Held by on 20

Final Action Taken

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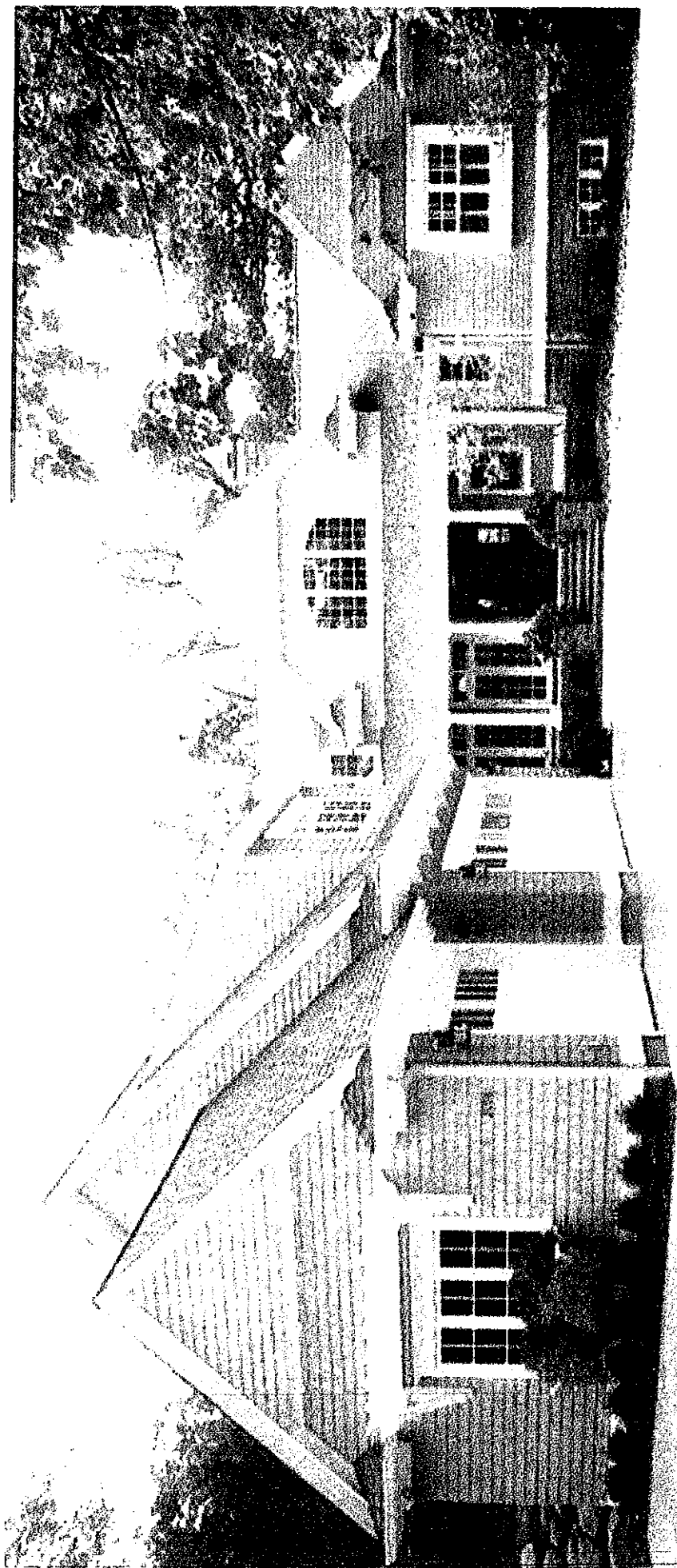
Filed with Town Clerk on 20

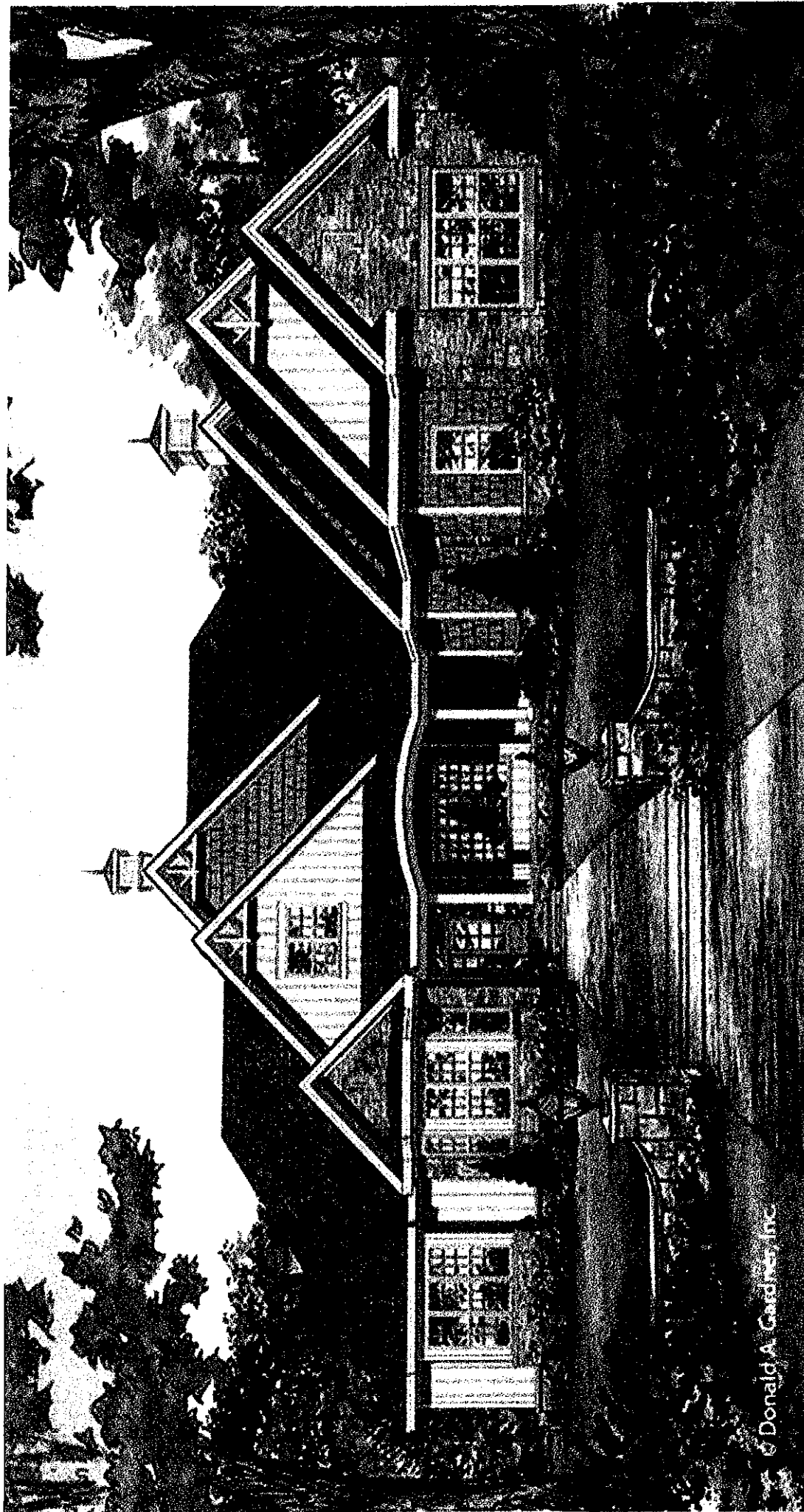
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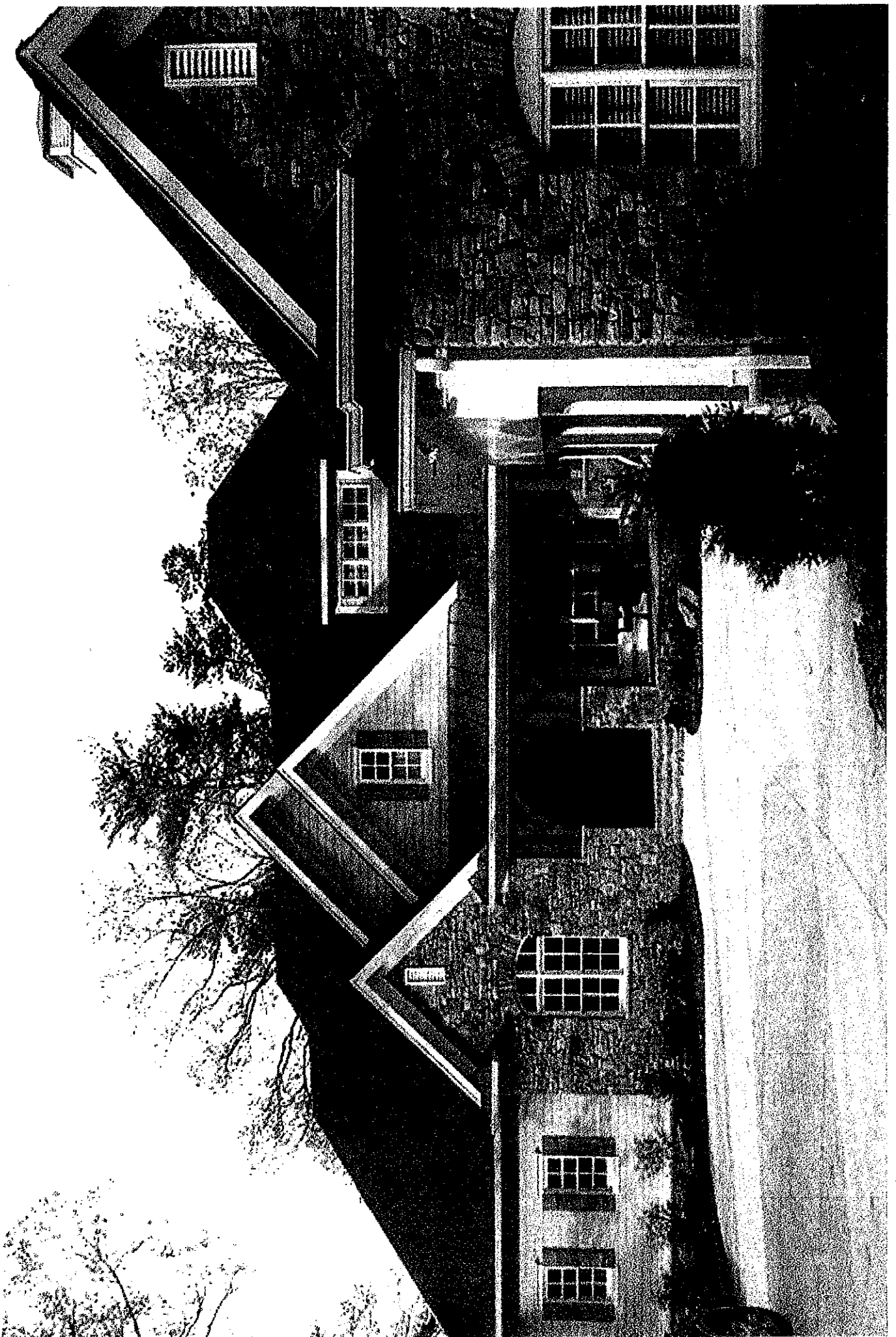
Proposed 250' setback line

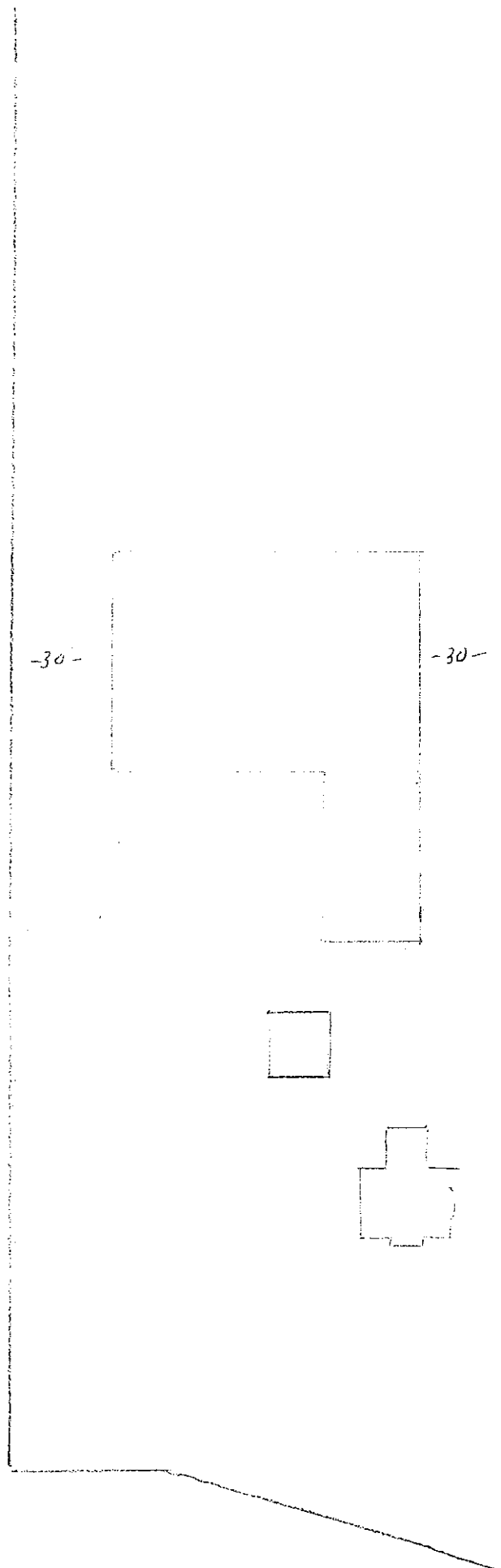






© Donald A. Gardner, Inc.





3,500 - 4,000 sqft
3 car garage
100W X 70D

Approximate
Setback -
~~250'~~ 250'

FND.
L.P.

165.93

90°-00'

90°-00'

WALLED

2.09± ACRES

WEST LINE LOT 6

537.11

570.65

SUBJECT TO
ROW TO REPUBLIC LIGHT, HEAT & POWER
L. 2167 P. 62
ROW TO BUFFALO PIPE LINE CORP
L. 2725 P. 486
ROW TO BUFFALO PIPE LINE CORP
L. 2758 P. 69

FRM
GAR
28.3

FRAME
HOUSE
9860

FND.
L.P.

24.75

33.0

FND.
L.P.

50.80

119.26

ORIGINAL RDV

PRESERVE RDV

GREINER

WIDTH VARIES

ROAD

THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE
AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN
EXAMINATION OF SUCH
UNAUTHORIZED ALTERATION OR ADDITION TO THE SURVEY MAP IS A VIOLATION
OF SECTION 7209 PROVISION 2 OF THE N.Y. STATE EDUCATION LAW

THIS SURVEY NOT VALID UNLESS
EMBOSSED WITH SEAL 045234

SURVEY

A PART OF LOT 6, SECTION 6, TOWNSHIP 12, RANGE 6
HOLLAND LAND COMPANY SURVEY
TOWN OF CLARECNE, ERIE COUNTY, NEW YORK

THOMAS P. RYAN
LICENSED LAND SURVEYOR

P.O. BOX 327, LANCASTER, NY 14086
S-1539 GREENVOSS TERRACE, MARILLA, NY 14102
TELEPHONE 692-3866

DATE MAY 11, 2006 RESURVEY

SCALE 1" = 50'

F.R.

JOB NO. 004076

617.20
Appendix B
Short Environmental Assessment Form

Instructions for Completing

Part 1 - Project Information. The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

Part 1 - Project and Sponsor Information			
Sharon Barker			
Name of Action or Project: Barker Home Demolition			
Project Location (describe, and attach a location map): 9860 Greiner Road			
Brief Description of Proposed Action: Demolition of a home constructed prior to 1950			
Name of Applicant or Sponsor: Sharon Barker		Telephone: 310-6123	
		E-Mail:	
Address: 9780 Rocky Point			
City/PO: Clarence		State: NY	Zip Code: 14031
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>
3.a. Total acreage of the site of the proposed action?		2.13+/- acres	
b. Total acreage to be physically disturbed?		<1 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		2.13 +/- acres	
4. Check all land uses that occur on, adjoining and near the proposed action. <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban) <input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____ <input type="checkbox"/> Parkland			

5. Is the proposed action, a. A permitted use under the zoning regulations?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	N/A <input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO <input type="checkbox"/>	YES <input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: N/A	NO <input type="checkbox"/>	YES <input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places? b. Is the proposed action located in an archeological sensitive area?	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency? b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	NO <input checked="" type="checkbox"/> <input checked="" type="checkbox"/>	YES <input type="checkbox"/> <input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: <input type="checkbox"/> NO <input type="checkbox"/> YES	NO <input checked="" type="checkbox"/>	YES <input type="checkbox"/>	

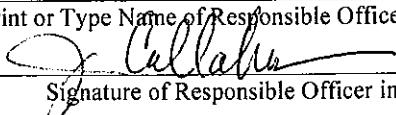
18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____	NO	YES
	<input checked="" type="checkbox"/>	<input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE		
Applicant/sponsor name: Sharon Barker		Date: December 2015
Signature: Signature on File		

Part 2 - Impact Assessment. The Lead Agency is responsible for the completion of Part 2. Answer all of the following questions in Part 2 using the information contained in Part 1 and other materials submitted by the project sponsor or otherwise available to the reviewer. When answering the questions the reviewer should be guided by the concept "Have my responses been reasonable considering the scale and context of the proposed action?"

	No, or small impact may occur	Moderate to large impact may occur
1. Will the proposed action create a material conflict with an adopted land use plan or zoning regulations?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Will the proposed action result in a change in the use or intensity of use of land?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Will the proposed action impair the character or quality of the existing community?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Will the proposed action have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area (CEA)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
5. Will the proposed action result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Will the proposed action cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
7. Will the proposed action impact existing:	<input checked="" type="checkbox"/>	<input type="checkbox"/>
a. public / private water supplies?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. public / private wastewater treatment utilities?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
8. Will the proposed action impair the character or quality of important historic, archaeological, architectural or aesthetic resources?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
9. Will the proposed action result in an adverse change to natural resources (e.g., wetlands, waterbodies, groundwater, air quality, flora and fauna)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

	No, or small impact may occur	Moderate to large impact may occur
10. Will the proposed action result in an increase in the potential for erosion, flooding or drainage problems?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action create a hazard to environmental resources or human health?	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Part 3 - Determination of significance. The Lead Agency is responsible for the completion of Part 3. For every question in Part 2 that was answered "moderate to large impact may occur", or if there is a need to explain why a particular element of the proposed action may or will not result in a significant adverse environmental impact, please complete Part 3. Part 3 should, in sufficient detail, identify the impact, including any measures or design elements that have been included by the project sponsor to avoid or reduce impacts. Part 3 should also explain how the lead agency determined that the impact may or will not be significant. Each potential impact should be assessed considering its setting, probability of occurring, duration, irreversibility, geographic scope and magnitude. Also consider the potential for short-term, long-term and cumulative impacts.

<input type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action may result in one or more potentially large or significant adverse impacts and an environmental impact statement is required.
<input checked="" type="checkbox"/>	Check this box if you have determined, based on the information and analysis above, and any supporting documentation, that the proposed action will not result in any significant adverse environmental impacts.
Clarence Zoning Board of Appeals	January 2016
Name of Lead Agency	Date
James Callahan	Director of Community Development
Print or Type Name of Responsible Officer in Lead Agency	Title of Responsible Officer
	
Signature of Responsible Officer in Lead Agency	Signature of Preparer (if different from Responsible Officer)

PRINT

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☐ Revise Ordinance
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Rec'd. by: Planning and Zoning

Date December 10, 2015

Action Desired Applicant requests a variance to the requirements of a pool permit for electrical bonding, liner, filter, fence and alarm at 9209 Tonawanda Creek Road within the Agricultural Floodzone.

Reason Town Code Reference:
§196

PLEASE PRINT

Name William Moses

Address 9209 Tonawanda Creek Rd

Clarence Center NY 14032

Town/City Clarence Center **State** NY **Zip** 14032

Phone 444-0793

Signed SIGNATURE ON FILE

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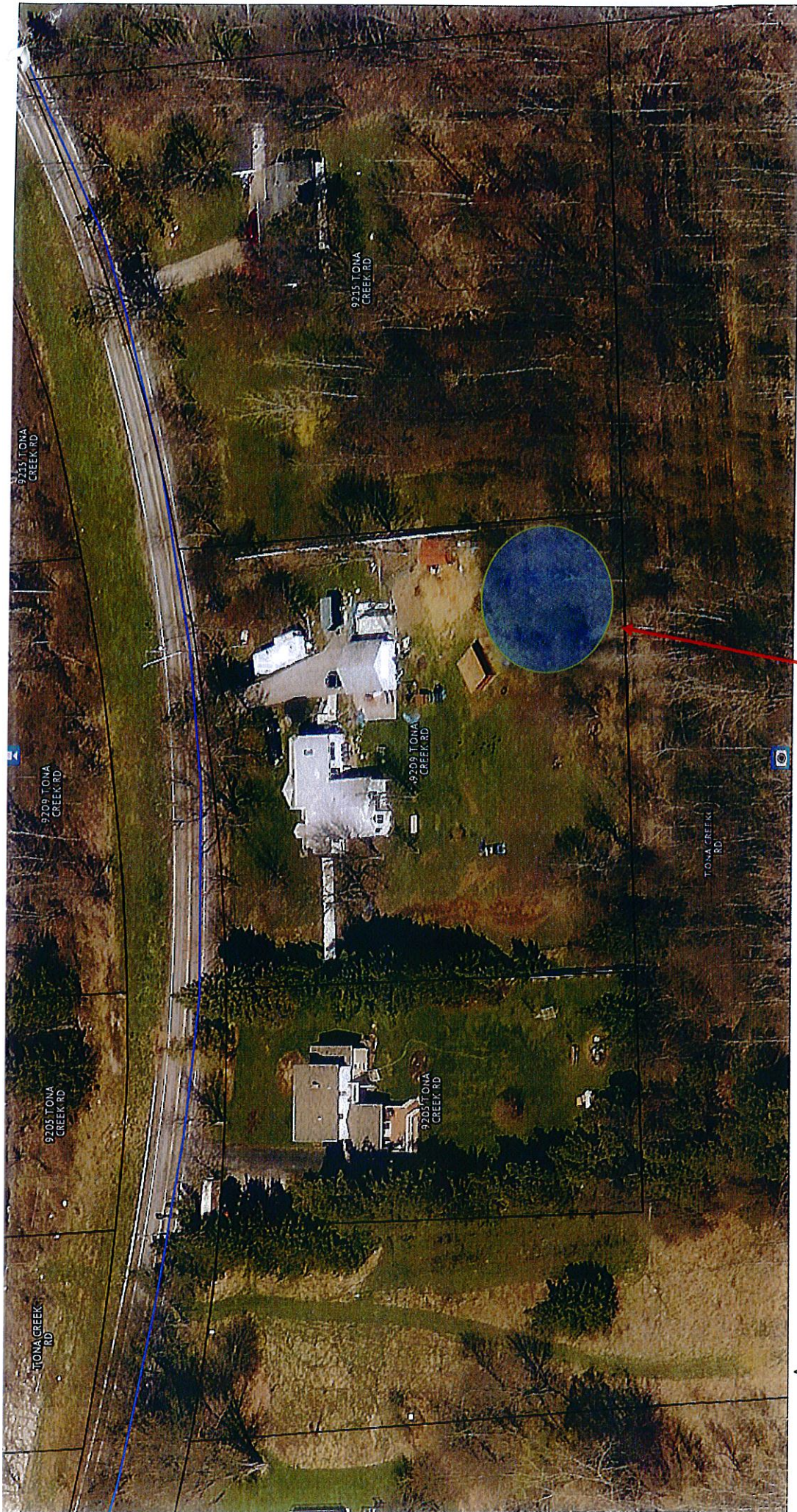
Approved ☐

Rejected ☐ by on 19

Published (Attach Clipping) on 19

Filed with Town Clerk on 19

Filed with County Clerk on 19



* note the parcel lines displayed are approximate

9209 Tonawanda Creek Road

Pond location



Photo Taken on or about November 12, 2013



UNAWAY

R=553.90'
L=104.42'

A PORTION OF THE COUNTY
LANDS CONVEYED TO THE COUNTY
OF ERIE, PARCEL NO. 3.01
L 2575, PG. 322

R=553.90'
L=190.98'

EXCEPTION PARCEL
PARCEL "B"

530' REC./470.8' MEAS.

PARALLEL WITH THE EAST LINE OF LOT 29
275.64'

EASEMENT TO NYSE & GAS CORP.
L. 6902, PG. 471 AFFECTS THIS POLE LINE
NYSEG 33864
NYT 126
UP

BLACKTOP DRIVE

FRAME
GARAGE
202

FRAME DECK

HOUSE
NO. 9209

PARCEL "A"



PARALLEL WITH THE EAST LINE OF LOT 29
272.52'

474.40' REC./464.6' MEAS.

FND IP
0.67'E

FND IP
1.54'S
0.35'E

100.00'

190.00'

ZBA
mtg
8-12-14

Appeal No. 4
William Moses
Agricultural Floodzone

Requests the Board of Appeals approve and grant a variance for the placement of a pond lacking the appropriate design standards, setbacks and parcel size located at 9209 Tonawanda Creek Road.

Appeal No. 4 is in variance to §93-19.

ZBA
mtg
8-12-14

DISCUSSION:

William Moses is present and explained that he is looking to obtain a variance for a small pond that measures 20' by 30' when it is full. He has less than the required minimum acreage for to apply for a Pond Permit, as such they wouldn't have the minimum distance to be from their property line for the placement of the pond. As far as the design standard, the minimum depth for a pond in Clarence, from what he understands, is 6 feet and there's a required angle for the grade of the banks, so to have a small pond it wouldn't be able to be 6 feet, it would need to be larger in order to be at that depth.

There are two (2) neighbor notifications forms on file.

Christopher Bowers of 9205 Tonawanda Creek Road asked how many Board members actually looked at the pond. It is noted that all members of the Board saw the pond. Mr. Bowers said he did an inspection on the pond last night and has some concerns. He said it doesn't appear that the property size is large enough to support the pond. The pond was at approximately 3' depth, 50% or less of volume and considering how rainy July was, it appears that the amount of water shed available to keep the pond at a usable level is minimum. The biggest objection he has is that this is a 'C' lot, therefore the front of the house drains to the road and the back of the house drains away from the property into the adjoining property behind it. Therefore anything behind the house drains towards the pond, which is where the water fall area and the hen house are, and also there appears to be a manure storage there as well. Therefore any water draining into the pond is not only stagnant, it's also foul. Mr. Bowers thinks the biggest issue is that the property doesn't have proper drainage so if there is excess water there is no drainway or spillway for it. Any spillage off the applicant's property that doesn't go onto Mr. Bowers's property goes onto the next neighbor's property.

Eloise Gardner lives at 9215 Tonawanda Creek Road and noted that she submitted a letter to Timothy Lavocat regarding the request, the letter is on file. She agreed with Mr. Bowers and all the concerns/issues he raised. Ms. Gardner said the applicant does not meet any of the criteria as far as acreage or distance to the property line. She saw the pond last night and was appalled by the condition of it. She believes that any drainage from that pond will go into her ditch and it would be contaminated with water fowl waste. Her opinion is that the pond should be filled in.

Chairman Michnik said there has been an appearance ticket issued to William Moses in reference to the pond. Mr. Moses is informed of this; it was served by the Town Engineer, Timothy Lavocat. Deputy Town Attorney noted that the appearance ticket matter has not been adjudicated yet, the first appearance for that is scheduled for August 28, 2014.

Mr. Moses said through his discussion with Mr. Bowers he found that there are aerators he can install to keep the pond from being stagnant. There is natural beneficial bacteria that can be added to the pond until the ecosystem around the pond grows in; right now it is bare. The bacteria that can be added will breakdown any negative or adverse bacteria that might exist in the water.

Mr. McNamara asked when the pond was put in. Mr. Moses said last Fall and he did not obtain a permit for it because his interpretation of the Code was that a pond is anything over 6'. He did not want a pond, he just wanted a place for his ducks and geese to swim. He made numerous phone calls to find out what it is considered if it is less than 6' and the closest answer he could get was from the DEC in which they would consider it a marsh that was constructed for a habitat for waterfowl. There was not any permitting that the DEC was aware of for this marsh. Clarence code does not have any requirements for constructing anything

ZBA
mtg
8-12-14

less than 6'. Mr. McNamara asked if Mr. Moses looked at setback requirements. Mr. Moses said he only looked at the code which indicated anything less than 6' does not require a permit. Mr. McNamara asked if Mr. Moses obtained any design help when installing his marsh. Mr. Moses said he followed the grade that was required for a pond and that was the extent of the design considerations.

Mr. Moses said he has just under two (2) acres. It is clarified that he wants the variance to be granted so he can put a pond on a two (2) acre lot. Mrs. Burkard asked what will happen when in the winter there is a lot of snow that is going to melt in the Spring and run off his property. Mr. Moses said the ground around the pond is higher than the rest of his property and his neighbors lots, so if the pond is at its bank the rest of the yard and woods behind him are all inundated as well. There is no culvert directing water into the pond where it would then spill over into the woods, but he understands that a spillway would be a requirement as part of the pond permit process.

Mr. D'Amato noted the conditions under which the notice of violation was issued to Mr. Moses, and clarified that it was served to him. Mr. Moses said he spoke to Tim Lavocat on several occasions about the situation and he told Mr. Lavocat that he did not feel it was a pond because it was less than 6'. Mr. Lavocat was responding to a complaint from a neighbor indicating Mr. Moses did something he wasn't supposed to. Mr. Moses said Mr. Lavocat wasn't the person to comment on whether or not the pond was out of compliance with regards to the pond being less than 6'. Mr. D'Amato noted that another letter was sent to Mr. Moses on May 19, 2014 saying he needs to take corrective actions by July 15, 2014. In response to that letter Mr. Moses called Mr. Lavocat to ask him what corrective actions he needs to take. Corrective action was not taken by July 15, 2014 so Mr. Moses was given a court date. The variance request is the corrective action. Mr. Moses has approximately 21 fowl in his yard. Mr. D'Amato asked why a kiddie pool wouldn't work. Mr. Moses said they had one for a while but it has to be completely emptied and filled every day and it got to be too much. The pond is definitely better/healthier for the ducks.

Mr. Mills asked if the applicant considers the ducks pets. Mr. Moses said yes, they do not eat the ducks. Some of the ducks are rescue ducks in which they are nursed back to health and then returned to the SPCA. Mr. Mills asked in what other way this objective can be achieved. Mr. Moses said if the variance is not granted they would have to go back to filling kiddie pools. Mr. Mills asked about a pool with a type of filtration system, Mr. Moses said he has not looked into that. Mr. Mills asked if the variance was granted would Mr. Moses be willing to bring his pond into compliance with all the current Town code requirements including slope and size. If they had to approval to apply for the pond permit, they would ask that the pond requirement of 6' be waived, they don't want to go that deep because with the grade that the Town would require he would have to widen the pond as well. The depth of the pond, the size of the lot and the distance to the property line are requirements that would not be brought into compliance.

Mrs. Burkard asked what the distance from the pond would be to the neighbor's property line. Mr. Moses said it is 10'. Mrs. Burkard said it is supposed to be 100'. Mr. Moses said his lot is only 190' wide, it is 1.9 acres, so he wouldn't be able to do 100'. He does not have the option to purchase any more property at this time.

Chairman Michnik suggested the applicant ask for a tabling of the request and do some research on other options, perhaps a decorative pond. Mr. Moses thinks he would run into the same issues. Mr. Mills suggested the applicant look at what constitutes a pool versus a pond. Mr. Moses thinks he would be back in for a variance even if he looked at a pool as an option. He said the location of the pond is not visible from either neighbor, it does not affect either neighbor's drainage.

ZBA
mtg
8-12-14

Mr. Mills noted that the Board looks at Town Law §267 when considering a variance. Mr. Moses said the two other neighbors closest to his property both have multiple ponds on their property so he sees his request as keeping with the character of the neighborhood. One of those properties is in excess of 5 acres but the other one is not. Mr. Moses does not feel that his request violates any of the criteria the Board looks at in §267. Other than building a pool for ducks and geese to swim in he does not think that he can accomplish what he is attempting to in a way other than receiving the variance to apply for a permit and work with the Engineering Department to make the pond healthy and have the proper drainage.

ACTION:

Motion by David D’Amato, seconded by Ryan Mills, to **deny** Appeal No. 4 as written for the following reasons:

- the request does not conform with existing code which states the pond must be 100’ from the property line.
- at minimum, the parcel must be a 5 acre lot.
- the applicant built the pond without a permit.
- there are other ways the desired outcome can be achieved such as smaller pools.
- the evidence and testimony establishes that an undesirable change in the character of the neighborhood will be created, specifically the pond is situated so close to the lot line at 9215 Tonawanda Creek Road as to change the character of the neighborhood.
- the applicant’s testimony was that this could be achieved by other methods such as a pool or other portable water holding structures.
- the area variance appears to be substantial based upon materials in the record as well as testimony in that the setback is 10’ and the code says it should be 100’.
- the difficulty seems to be self-created in that the applicant is seeking to add a pond to the structure.
- it creates an adverse impact on the neighborhood in that it is so close to nearby parcels and does not conform with the side yard setback.

Richard McNamara	Aye	Patricia Burkard	Aye
David D’Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

.....MOTION CARRIED.....

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☐ **Limited Use Permit**
☐ **Other**

Rec'd. by: Planning and Zoning

Date December 14, 2015

Action Desired Applicant requests a variance of 5' to allow for a 5' side yard setback for an accessory structure (emergency generator) located at 4730 Harris Hill Road in the Residential Single-Family zone.

Reason §229-55 (E) (1)

PLEASE PRINT

Name	Ronald J Gutowski		
Address	4730 Harris Hill Road		
	Clarence,	NY	14031
Town/City		State	Zip
Phone	635-9746		
Signed	SIGNATURE ON FILE		

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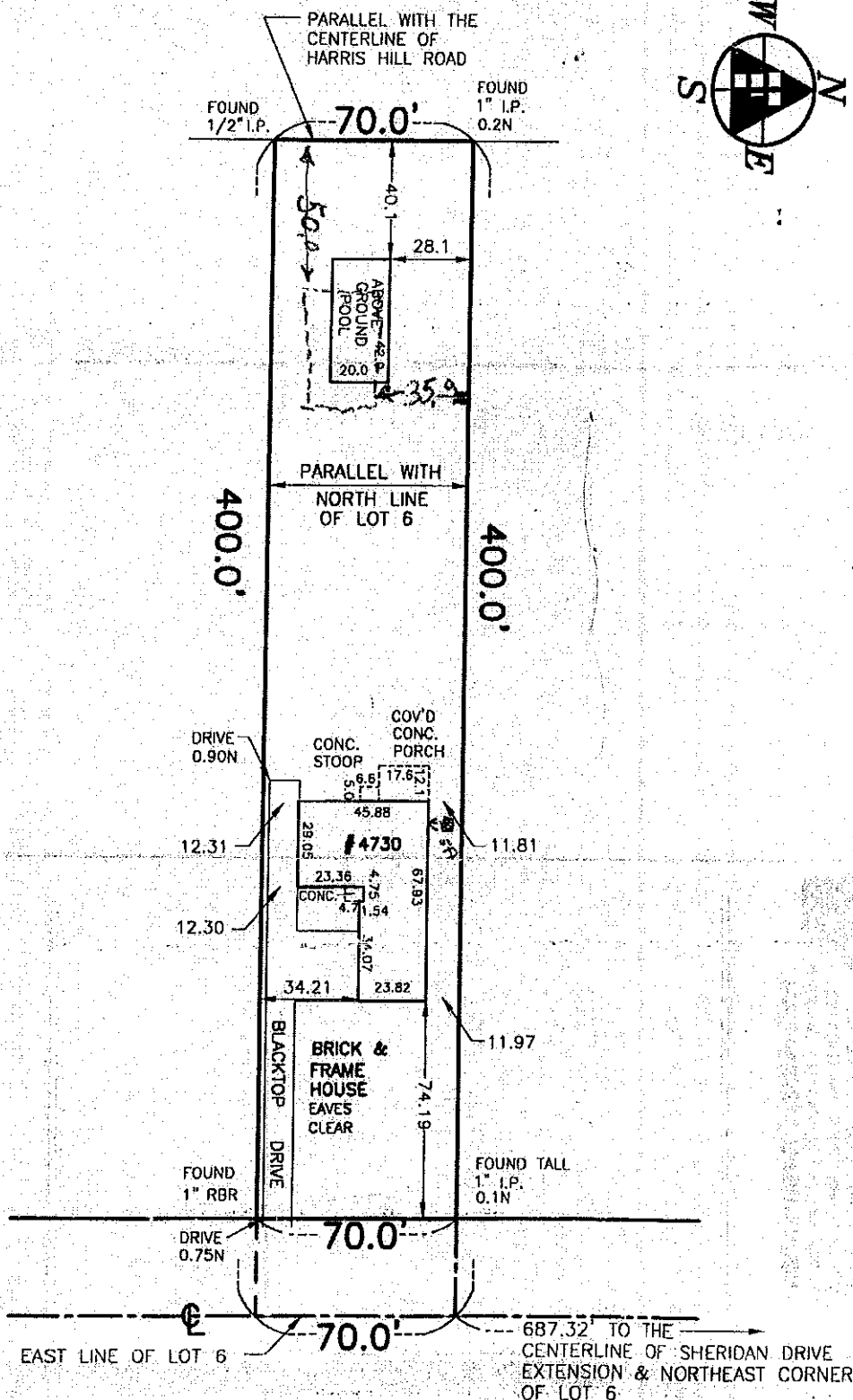
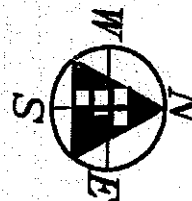
4730 Harris Hill Road

Proposed 5' side yard setback for emergency generator



Feet	Inches
0.08	1 inch
0.17	2 "
0.25	3 "
0.33	4 "
0.42	5 "
0.50	6 "
0.58	7 "
0.67	8 "
0.75	9 "
0.83	10 "
0.92	11 "
1.00	12 "

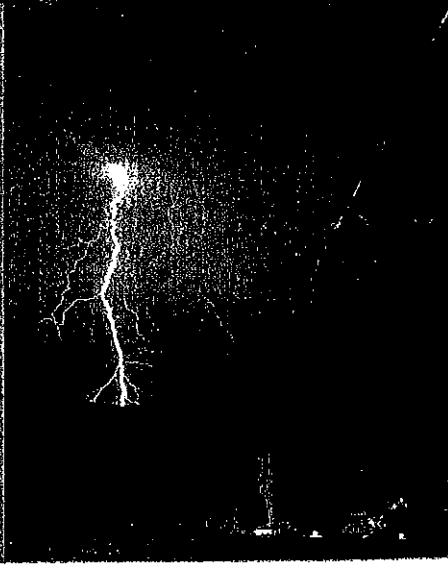
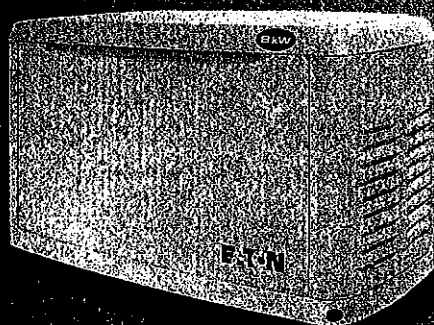
NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF TITLE AND IS SUBJECT TO ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SUCH



HARRIS HILL (66') ROAD

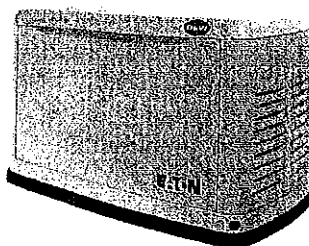
8kW & 10kW Standby Generators

Restoring Power with Confidence



EATON

Reliable Protection for Your Home and Investment



Eaton's 8 and 10kW Standby Generators boast 410cc and 530cc engines. These units are perfect for automatically backing up emergency circuits such as refrigerators, furnace fans, sump pumps, water pumps, or other types of loads that you could not do without during a power outage.

Features:

- User friendly controller
- Flexible fuel line connector
- Composite mounting pad
- Natural gas or LP gas operation (field convertible)
- Superior harmonics allow flawless operation of sensitive electronics such as computers

Best in class service network allows for piece of mind

*Contractor
Information Here*

GENERATOR	EGEN8 (8 kW)	EGEN10 (10 kW)
Rated Maximum Continuous Power Capacity (LP)	8,000 Watts	10,000 Watts
Residential Surge Capability (30% voltage drop) [LP]	12,240 Watts	15,120 Watts
Rated Maximum Continuous Power Capacity (NG)	7,000 Watts	9,000 Watts
Residential Surge Capability (30% voltage drop) [NG]	11,040 Watts	13,350 Watts
Rated Voltage	120/240	120/240
Rated Maximum Continuous Load Current 240 Volts	33.3 LP/29.2 NG	41.6 LP/37.5 NG
Phase	1	1
Number of Rotor Poles	2	2
Rated AC Frequency	60Hz	60Hz
Power Factor	1	1
Battery Specifications (not included)	Group 26R 12 Volts and 350 Cold-cranking Amperes Minimum	Group 26R 12 Volts and 525 Cold-cranking Amperes Minimum
Unit Weight	340 Pounds	387 Pounds
Dimensions (L" x W" x H")	48 x 25 x 29	48 x 25 x 29
Sound output in dB(A) at 23 ft.	62	63
ENGINE	EGEN8 (8 kW)	EGEN10 (10 kW)
Type of Engine	OHVI	OHVI V-TWIN
Number of Cylinders	1	2
Displacement	410cc	530cc
Cylinder Block	Aluminum w/Cast Iron Sleeve	Aluminum w/Cast Iron Sleeve
Oil Capacity Including Filter	Approx. 1.5 Qts.	Approx. 1.7 Qts.
Operating RPM	3,600	3,600
Fuel Consumption		
Natural Gas	cu.ft./hr.	
1/2 Load	77	102
Full Load	139	156
Liquid Propane	ft3/hr (gal/hr)	
1/2 Load	34 (0.94)	46 (1.25)
Full Load	62 (1.68)	70 (1.93)

Required fuel pressure to generator fuel inlet at all load ranges

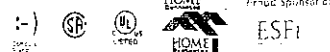
- 5 to 7 inches of water column for natural gas, 10 to 12 inches of water column for LP gas

CONTROLS (8kW & 10kW)

2-Line Plain Text LCD Display	Simple user interface for ease of operation
Mode Switch	
-Auto	Automatic Start on Utility failure. 7 day exerciser
-Off	Stops unit. Power is removed. Control and charger still operate.
-Manual/Test (start)	Start with starter control, unit stays on. If utility fails, transfer to load takes place.
Automatic Voltage Regulator w/Overvoltage Protection	Standard
Automatic Low Oil Pressure Shutdown	Standard
Overspeed Shutdown	Standard, 72Hz
High Temperature Shutdown	Standard
Overcrank Protection	Standard
Safety Fuse	Standard

Eaton Corporation
Electrical Group
1000 Cherrington Parkway
Moon Township, PA 15106
United States
877-ETN-CARE (677-386-2273)
Eaton.com/electrical

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Form No. S40040702-E
August 2009



**REQUEST FOR
ACTION BY:
TOWN OF CLARENCE, N.Y.**

☒ Appeal Board
☐ Planning Board
☐ Town Board

☒ Appeal
☐ Rezone
☐ Revise Ordinance
☐ Subdivision
☐ Limited Use Permit
☐ Other

Rec'd. by: Jonathan Bleuer

Date December 21, 2015

Action Desired Applicant requests a variance to allow up to a .650' front yard setback for the construction of a single family residence on SBL # 5.00-3-23 located in the Agricultural-Floodzone.

Reason §229-31(A)

PLEASE PRINT

Name	Kenneth & Colleen Dowse		
Address	47 Tee Court		
	Williamsville, NY	14221	
Town/City	State	Zip	
Phone	580-919-0578, 580-919-0577		
Signed	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

Approved ☐
 Rejected ☐ by on 20
 Approved ☐
 Rejected ☐ by on 20

Published (Attach Clipping) on 20

Hearing Held by on 20

Final Action Taken

Approved ☐
 Rejected ☐ by on 20

Published (Attach Clipping) on 20

Filed with Town Clerk on 20

Filed with County Clerk on 20

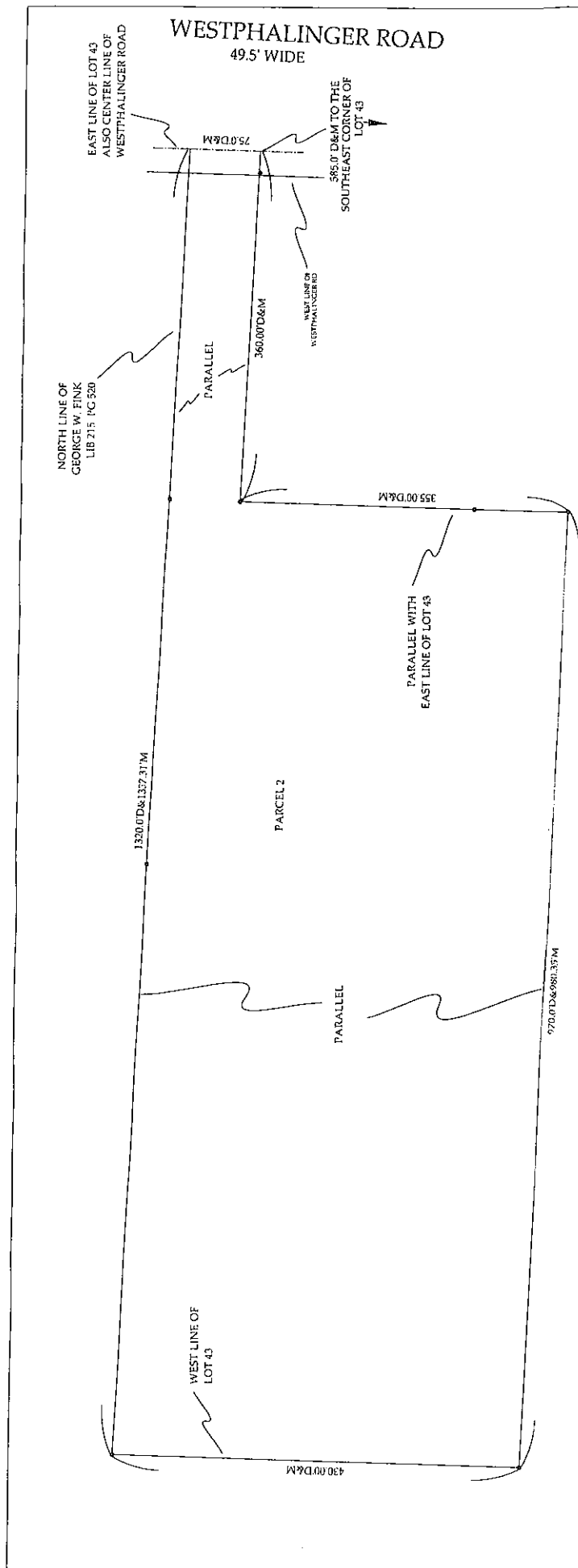


* note the parcel lines displayed are approximate

SBL # 5.00-3-23



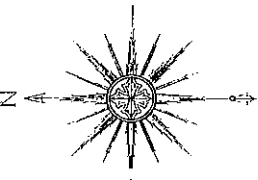
Proposed up to 650' setback line



[Handwritten signature]

SURVEY NOTES

1. UNAUTHORIZED ALTERATION OR ADDITION TO ANY PART OF THIS SURVEY MAP IS PROHIBITED.
2. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT SHOWN ON THIS SURVEY MAP. THE LOCATION OF ANY SUCH IMPROVEMENTS OR ENCROACHMENTS MUST BE DETERMINED BY THE SURVEYOR.
3. THIS SURVEY IS NOT VALID FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS DESIGNED AND FOR WHICH IT WAS AUTHORIZED AND INSURED BY THE SURVEYOR.
4. THE LOCATION OF THE UNDERGROUND IMPROVEMENTS OR ENCROACHMENTS ARE NOT SHOWN ON THIS SURVEY MAP. THE LOCATION OF ANY SUCH IMPROVEMENTS OR ENCROACHMENTS MUST BE DETERMINED BY THE SURVEYOR.
5. THIS SURVEY IS NOT VALID FOR ANY PURPOSE OTHER THAN THAT FOR WHICH IT WAS DESIGNED AND FOR WHICH IT WAS AUTHORIZED AND INSURED BY THE SURVEYOR.



LEGEND

- These standard symbols may be found in the drawing
- EXISTING IRON PIPE
 - SET IRON PIPE
 - UTILITY POLE
 - BOUNDARY
 - CENTERLINE OF ROAD
 - FENCE
 - DRIVE
 - OVERHEAD UTILITY LINE

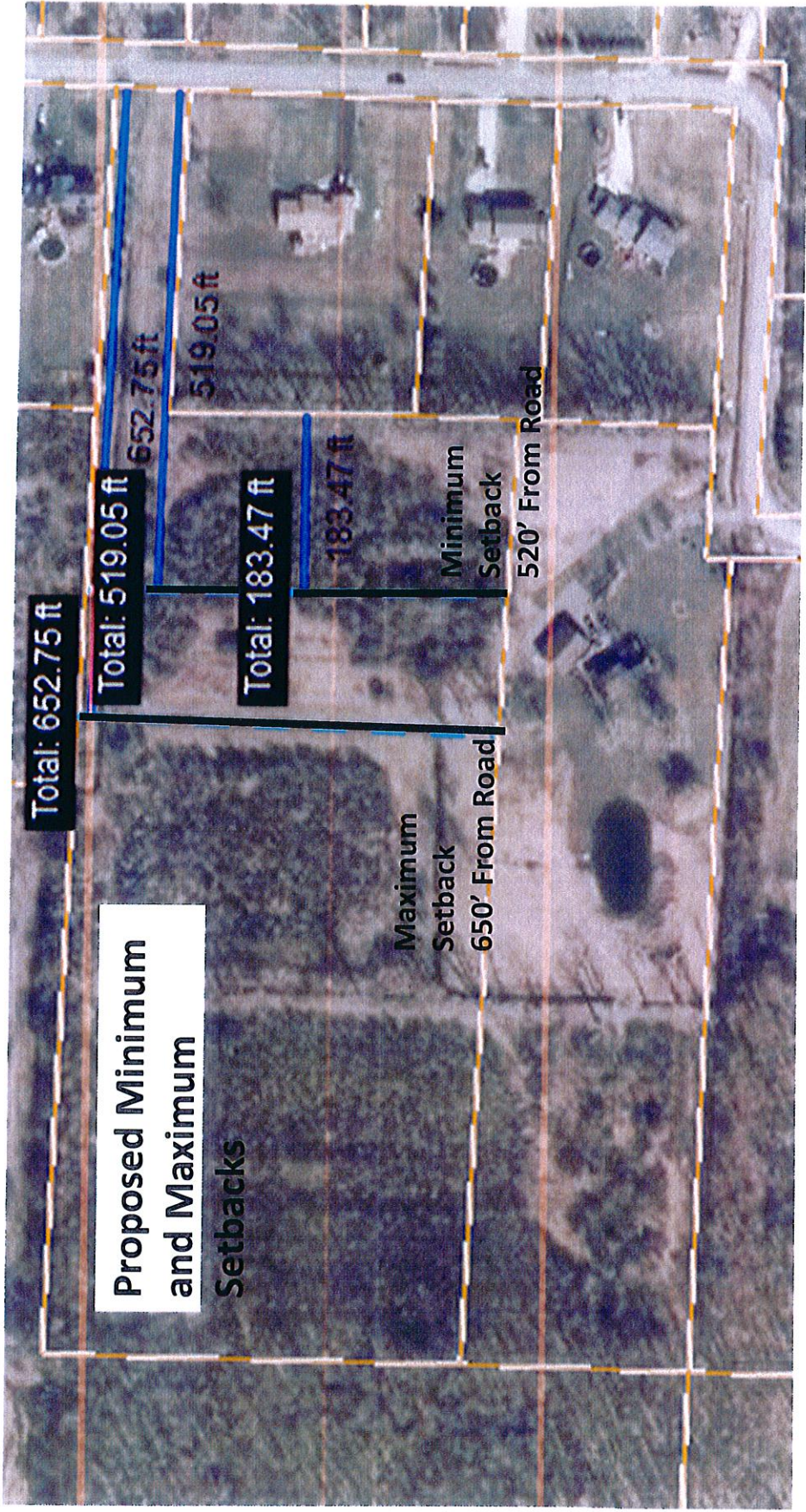
MANGUSO LAND SURVEYING P.C.
FREDERICK M. MANGUSO
 PROF. LAND SURVEYOR
 572 TUSCARORA RD.
 ANGOLANY 14006
 PHONE & FAX 716 549 4717
 LIC NO 049775-1
 EMAIL OFFICE@MANGUSO.LANDSURVEYING.COM
 SUCCESSION TO THE RECORDS OF WILLIAM M. MANGUSO
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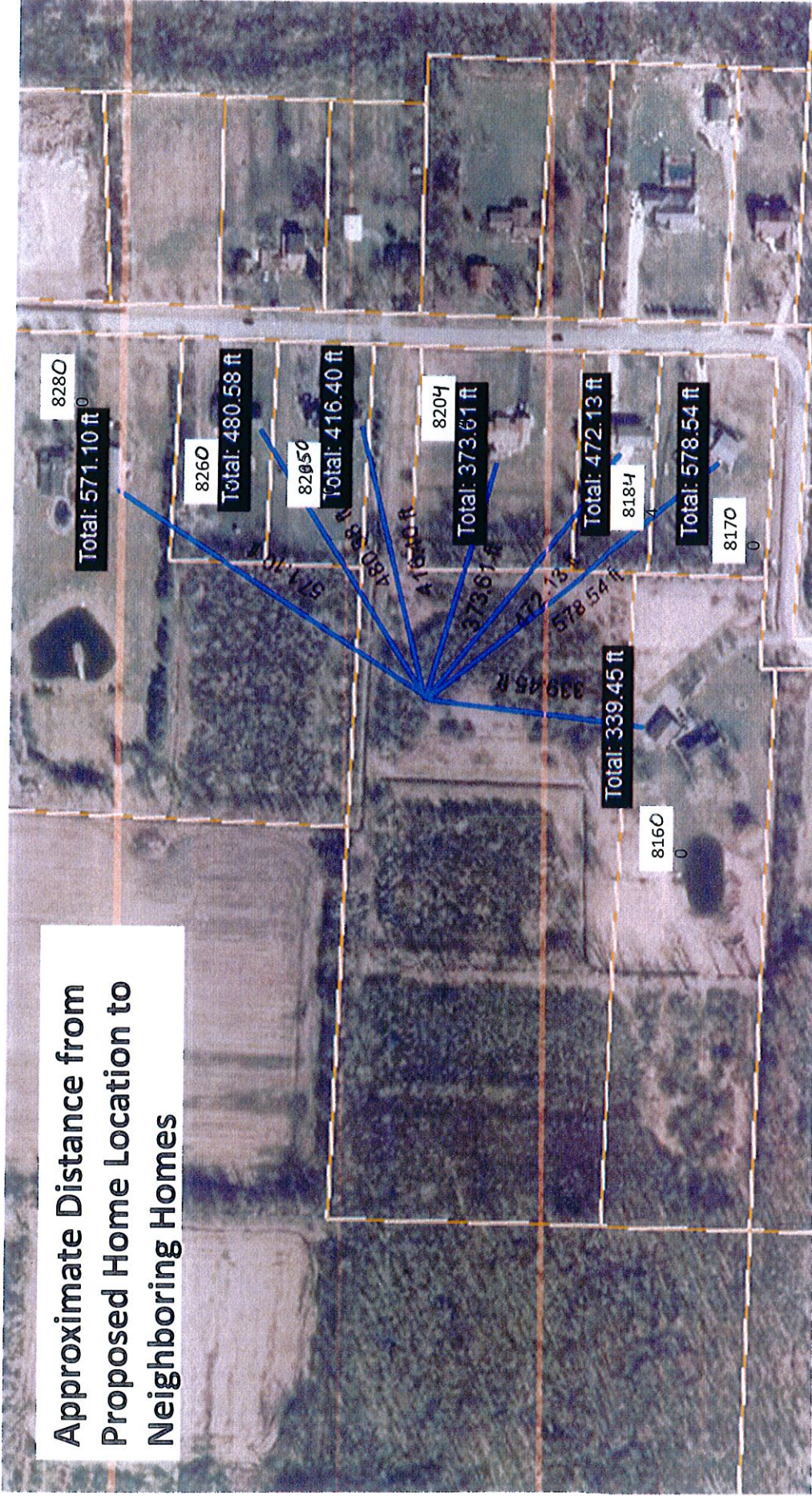
V/L WESTPHALINGER ROAD			
DRAWN	DATE	PART OF LOT 43 T13 R6	
CLM	09/14/15	TOWN OF CLARENCE	
APPROVED	DATE	COUNTY OF ERIE	
FMM	09/14/15	STATE OF NEW YORK	
SCALE	SHEET	PROJECT NO.	
1" = 100	100	20150950	

Proposed Home Location





**Approximate Distance from
Proposed Home Location to
Neighboring Homes**



**REQUEST FOR
ACTION BY:**

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board
☐ Planning Board
☐ Town Board

- ☒ Appeal
☐ Rezone
☐ Revise Ordinance
☐ Subdivision
☐ Limited Use Permit
☐ Other

Rec'd. by: Planning and Zoning

Date December 22, 2015

Action Desired Applicant requests a variance of 840 sq. ft. to allow for the construction of a 1,040 sq. ft. detached accessory structure located in the rear yard of 9265 Roll Road in the Residential Single-Family Zone.

Reason §229-55 (H)

PLEASE PRINT

Name	David Thompson		
Address	1308 Cleveland Drive		
	Cheektowaga, NY	14225	
Town/City	State	Zip	
Phone	481-4418		
Signed	SIGNATURE ON FILE		

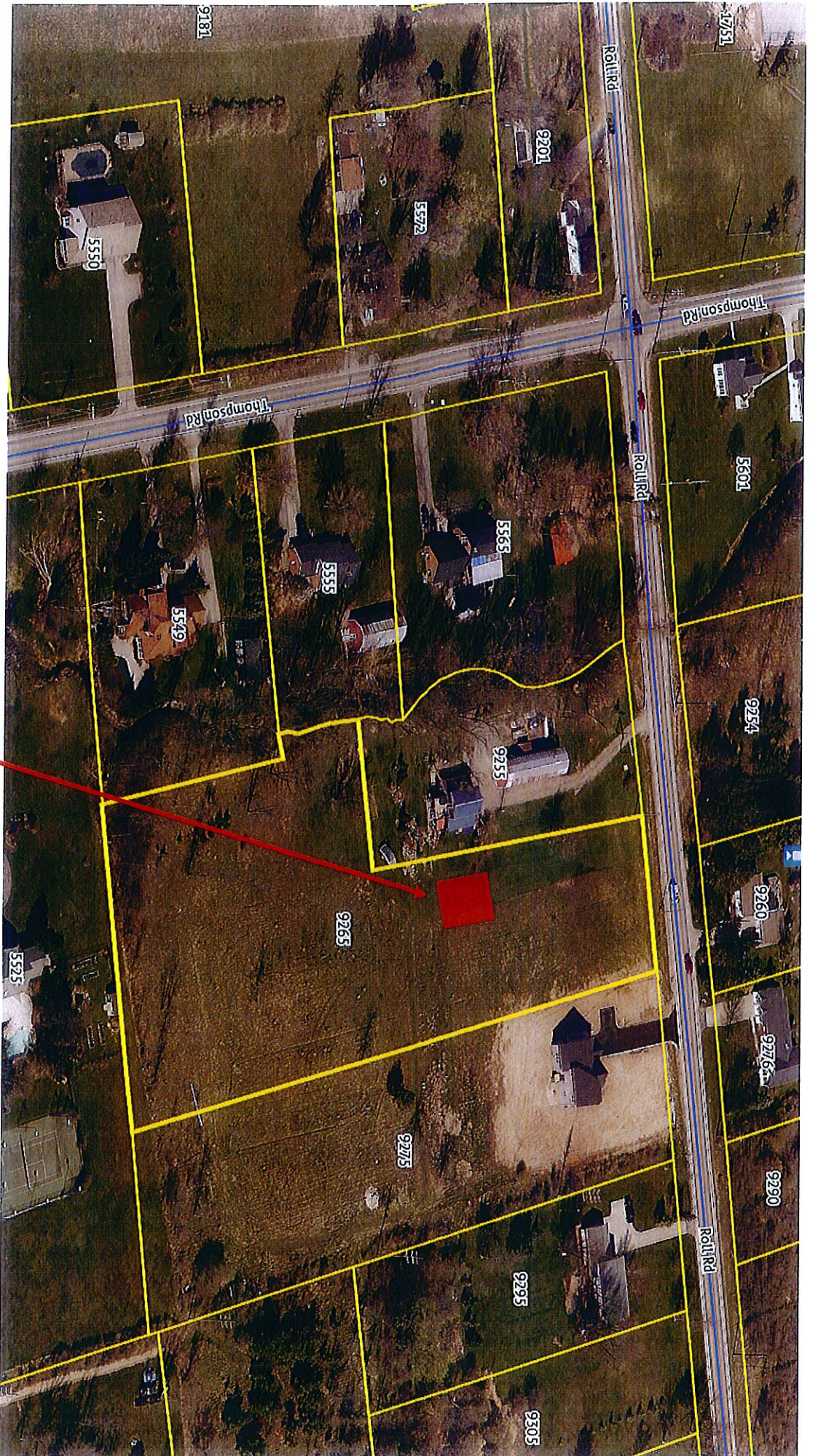
Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Published (Attach Clipping) _____ on _____ 20 _____
Hearing Held by _____ on _____ 20 _____

Final Action Taken

Approved ☐ _____ on _____ 20 _____
Rejected ☐ by _____ on _____ 20 _____
Published (Attach Clipping) _____ on _____ 20 _____
Filed with Town Clerk _____ on _____ 20 _____
Filed with County Clerk _____ on _____ 20 _____



* note the parcel lines displayed are approximate

9265 Roll Road

Proposed 1,040 sqft (26'x40') detached accessory structure

Dear Planning and Zoning Board Members,

I am seeking a variance to build a 26W X 40L X 10H pole barn on my 2.75 acre property located at 9265 Roll road where I currently have a new home under construction.

This structure will be used primarily for additional indoor parking and storage, no business will be run out of this facility. I will be storing 2 cars, small tractor and implements, lawn tractor and other misc. tools and equipment used to maintain my property,

If variance is not granted I will be forced to leave things outside. This would diminish the character/appearance of the neighborhood.

The building I am looking for approval on will be similar to other structures on adjacent properties:

9255 Roll Rd
5555 Thompson Rd
5549 Thompson Rd

The building is also similar to other structures in the immediate neighborhood:

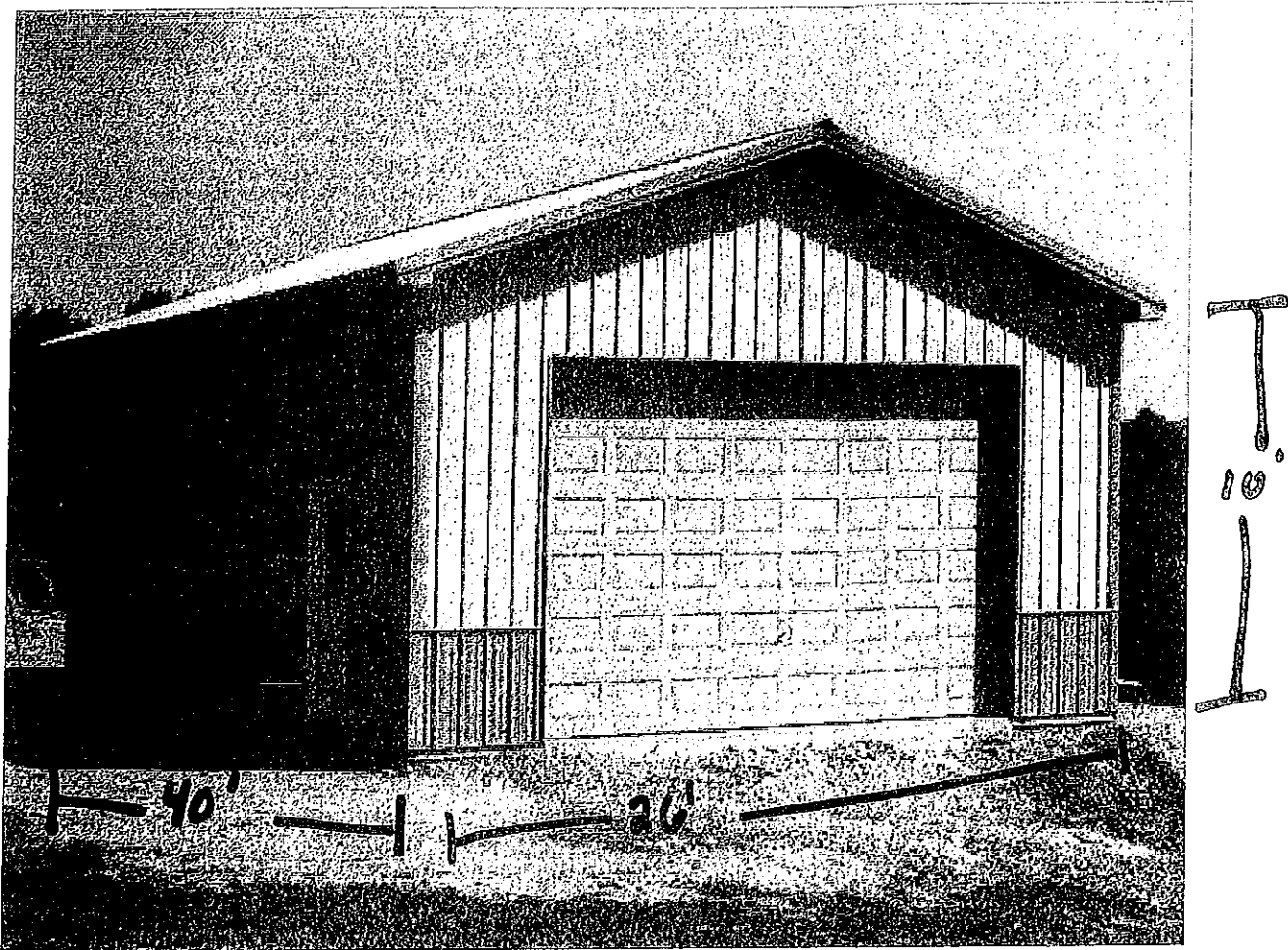
5500 Old Goodrich Rd
5510 Old Goodrich Rd
5535 Old Goodrich Rd
9405 Roll Rd
8920 Roll Rd
5601 Thompson Rd
5625 Thompson Rd
5572 Thompson Rd
5480 Thompson Rd
5430 Thompson Rd

The garage would be "pole barn" type with poured concrete slab for a floor.

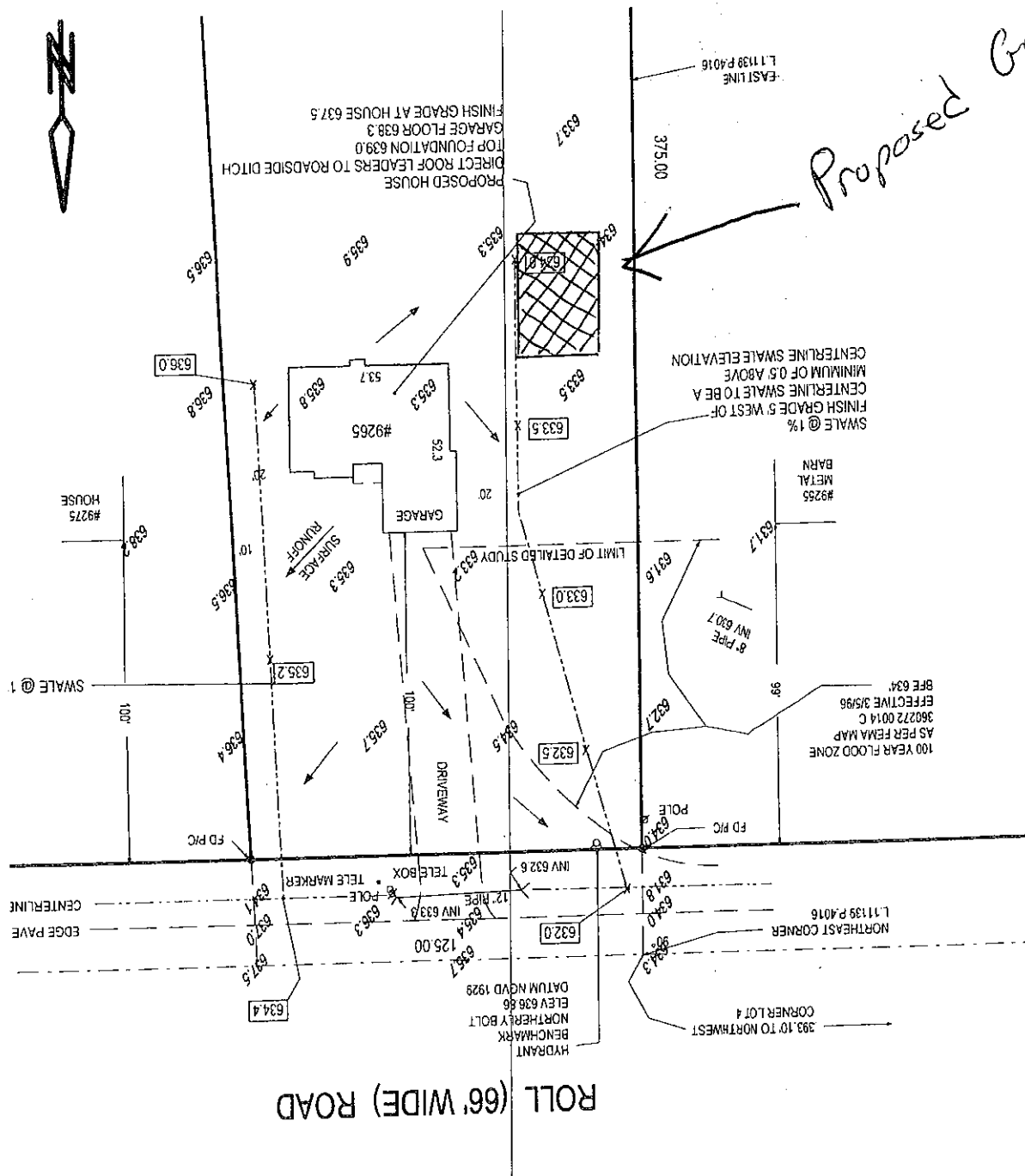
I would like to have the front of the garage parallel to the back of my house and along the east side property line (maintaining standard distance from property line) see attached drawing. This would keep it out of the 100 year flood zone and be back far enough not to be an eyesore from the street.

David and Barbara Thompson
9265 Roll Rd
Clarence Ctr, NY 14032

Current residence
1308 Cleveland Dr
Cheektowaga, NY 14225



Similar design
Colors and doors to match house under construction



333.10 TO NORTHWEST CORNER LOT 4

NORTH EAST CORNER L 11037.515

HYDRANT BENCHMARK NORTHWAY/BOAT ELEV 606.85 DATUM NOV 0 1979

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NOTE: THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF AN ABSTRACT OF THE ARJIS SUBJECT IN ANY STATE OF FACTS THAT MAY BE REVEALED BY AN EXAMINATION OF SAHS.

NOTE: UNAUTHORIZED REPRODUCTION OF THIS SURVEY MAP IS A VIOLATION OF SECTION 7779, CHAPTER 10, ARTICLE 1, OF THE EDUCATION CODE.

DISSELL, STONE ASSOCIATES
ENGINEERING AND LAND SURVEYING, P.C.
CIVIL ENGINEERING • LAND SURVEYING • SITE PLANNING • ESTIMATING
TELEPHONE: (616) 632-7000 FAX: (616) 632-7004

BISSELL & STONE

SCALE 1" = 40'

RANGE 6

• ERIE COUNTY, NEW YORK - HOLLAND LAND COMPANY

REQUEST FOR ACTION BY:

TOWN OF CLARENCE, N.Y.

- ☒ Appeal Board
☐ Planning Board
☐ Town Board

- ☒ Appeal
☐ Rezone
☐ Revise Ordinance
☐ Subdivision
☐ Limited Use Permit
☐ Other

Rec'd. by: Jonathan Bleuer

Date December 29, 2015

Action Desired Applicant requests a variance of 1' to raise the top of foundation wall from 758.50 to 759.50 for the proposed single family residence at 9743 Cobblestone Drive in the Planned Unit Residential Development zone.

Reason S229-23 (A) & (C)

PLEASE PRINT

Name	John Miosi		
Address	9719 Cobblestone Drive		
	Clarence,	NY	14031
Town/City		State	Zip
Phone	983-2366		
Signed	SIGNATURE ON FILE		

Requests for action on zoning should be filled out completely in above spaces if practicable; otherwise give brief description and refer to attached papers. The complete request with all necessary plans, maps, signatures, should be filed with the Secretary of the Planning Board. Requests (except appeals) may be filed with the Town Clerk or Town Board, but will generally be referred to Planning Board with subsequent loss of time.

Initial Action

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 Approved ☐
 Rejected ☐ by on 20
 Published (Attach Clipping) on 20
 Hearing Held by on 20

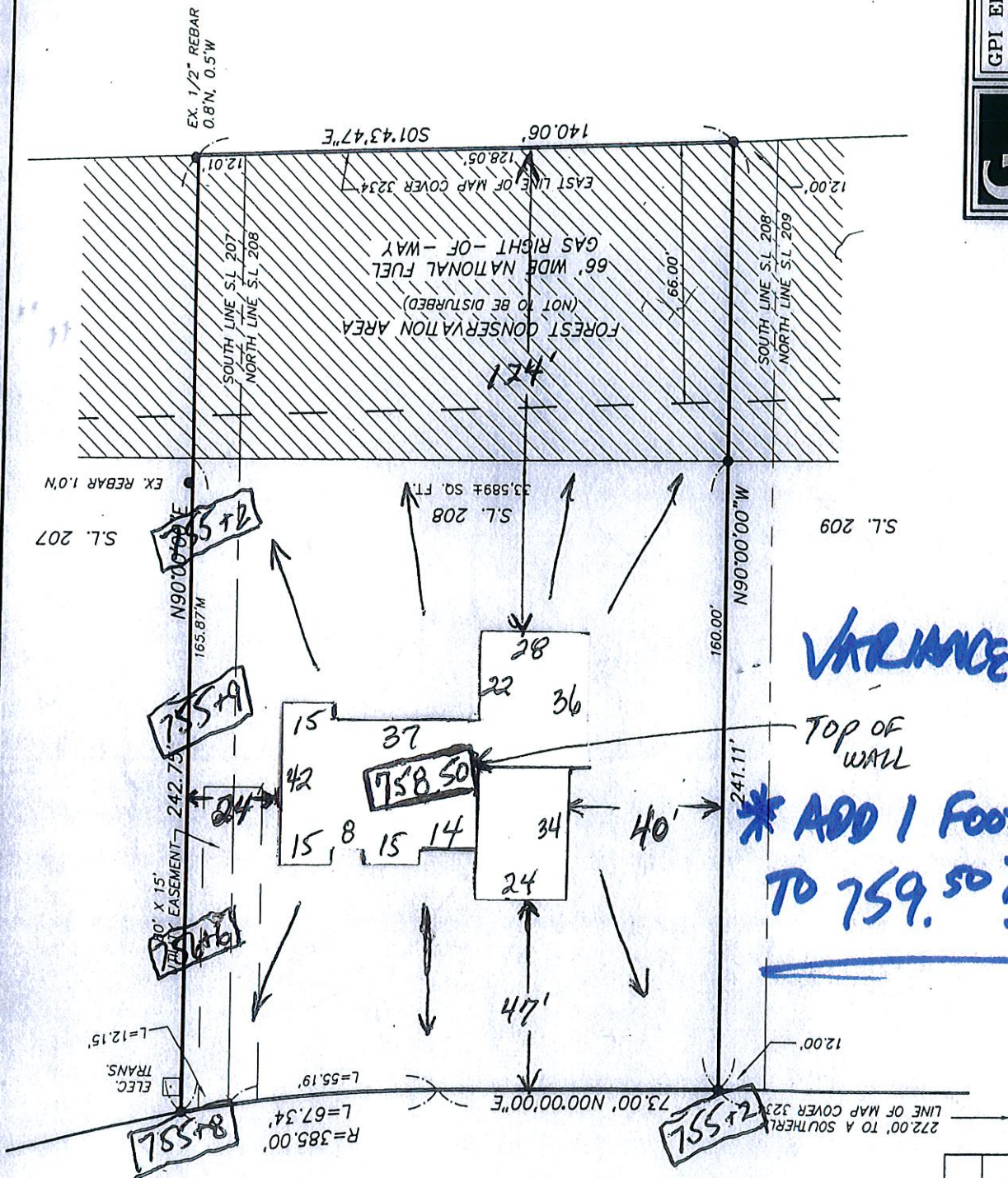
Final Action Taken

Approved ☐
 Rejected ☐ by on 20
 Published (Attach Clipping) on 20
 Filed with Town Clerk on 20
 Filed with County Clerk on 20

SET OR EX. 5/8" REBAR

GP1 ENGINEERING & SURVEYING,
FORMERLY PRAIT & HUTH ASSOCIATES, I
ENGINEERING • SURVEYING • PLANNING
4950 GENESEE STREET, SUITE 100
BUFFALO, NEW YORK 14225
(716) 633-4844
FAX 633-4944

Job No. 3557-207-208 Date: OCTOBER 23,
Scale 1" = 40' Tax No.



PARTS OF SUB-LOTS 207 & 208, MAP COVER 3234
 SPAULDING LAKE PART IV PHASE 3
 BEING PART OF LOT 7, SECTION 6, TOWNSHIP 12, RANGE 16
 HOLLAND LAND SURVEY
 TOWN OF CLARENCE, ERIE COUNTY, NEW YORK

COBBLESTONE (70' WIDE) DRIVE



* note the parcel lines displayed are approximate

9743 Cobblestone Drive

Proposed residence with top of foundation wall 1' higher
than code allows.

